

Congress of the United States

Washington, DC 20515

The Honorable George W. Bush
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C.

February 12, 2002

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LEGISLATIVE AFFAIRS

Dear Mr. President,


We are writing to call your attention to the continued involvement of the United Nations Population Fund (UNFPA) in the population control program of the People's Republic of China. Congress continues to receive evidence that the PRC program employs a broad range of coercive techniques to force women to undergo abortion and/or sterilization. In our judgment, this close collaboration between UNFPA and the PRC program, together with the vigorous public defense of the program by some UNFPA officials, establish that the UNFPA both "participates in the management of" and "supports" the PRC program.


If this is the case, then, under the original interpretation of the Kemp-Kasten amendment to the FY '95 Foreign Operations appropriations act, the United States may not fund the UNFPA. The Kemp-Kasten amendment prohibited United States funding of any organization that either "supports" or "participates in the management of" a program of coercive abortion or involuntary sterilization. This prohibition has been re-enacted annually and remains current law.

For eight years, the Kemp-Kasten language was interpreted to prohibit a United States contribution to UNFPA. In 1993, however, the Clinton Administration reinterpreted Kemp-Kasten by inserting a requirement that the organization's support or participation in forced abortion and/or sterilization must be "direct" in order to trigger the prohibition. Even under this relaxed standard -- which is inconsistent with the text, the purpose, and the history of the Kemp-Kasten language -- United States support for UNFPA depended on the Clinton Administration's uncritical acceptance of UNFPA's self-assessment of its role in China.

Naturally, UNFPA defends, denies, minimizes, and/or "explains" its involvement in the program. In our judgment, their responses not only set the stage for unlawful U.S. support, they also send the wrong message to the Chinese government: that the U.S. government endorses their population control tactics.

In conclusion, Mr. President, we urge you to investigate the situation and expect that, having done so, you will enforce the law against United States contributions to organizations that violate the Kemp-Kasten amendment.


Denny Hastert
Speaker


Dick Armey
Majority Leader


Tom DeLay
Majority Whip